

proposed AD follows from that determination.

The FAA has reviewed and approved McDonnell Douglas MD-11 Service Bulletin 27-36, Revision 1, dated December 9, 1994, which describes procedures for installation of the newly-designed electrically controlled slat system. This system involves:

1. modifying and reidentifying the flap/slat module;
2. removing the slat control cables and associated pulleys, pushrods, and spring coupler;
3. modifying the input bellcrank;
4. removing the inboard follow-up cable, drum, and pushrods to the outboard valve;
5. removing the auto-slat actuator and pushrod;
6. replacing the mechanical slat control valves with electro-mechanical slat control valves and installing associated wiring;
7. installing nameplates on the overhead circuit breaker panel;
8. installing circuit breakers and nameplates on the avionics circuit breaker panel;
9. installing relays at the electrical and main avionics rack; and
10. installing lightplates on the pedestal.

Besides its main purpose to reduce the possibility of uncommanded slat operation, other benefits of this new system include greatly simplified flap/slat operation with reduced handle force, enhanced protection against uncontained engine failure, and reduced aircraft weight.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require installation of an electrically controlled slat system. The actions would be required to be accomplished in accordance with the service bulletin described previously.

Installation of this new system necessarily entails removal of the items that previously were required to be installed in accordance with AD's 92-13-03, 92-14-51, 92-26-03, and 93-15-03. Therefore, once the installation of the new system is completed on an airplane, the requirements of the previously-issued AD's are considered terminated.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all

airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included to this notice to clarify this requirement.

There are approximately 124 Model MD-11 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 43 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 68 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would be supplied by the manufacturer at no charge to operators. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$175,440, or \$4,080 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

McDonnell Douglas: Docket 94-NM-175-AD.

Applicability: Model MD-11 series airplanes; as listed in McDonnell Douglas MD-11 Service Bulletin 27-36, Revision 1, dated December 9, 1994; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent inadvertent deployment of the slats during flight, accomplish the following:

(a) Within 24 months after the effective date of this AD, modify the airplane and install an electrically controlled slat control system in accordance with McDonnell Douglas MD-11 Service Bulletin 27-36, Revision 1, dated December 9, 1994.

(b) Accomplishment of the actions required by paragraph (a) of this AD constitutes terminating action for the requirements of the following AD's:

AD No.	Amendment No.	Federal Register citation
92-13-03	39-8273	(57 FR 27155, June 18, 1992).
92-14-51	39-8325	(57 FR 38264, Aug. 24, 1992).